

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA**

**FILED**

APR 28 2017

Clerk, U.S. District Court  
District Of Montana  
Helena

**HELENA DIVISION**

APRIL SCHMITT,

Plaintiff,

No. CV-16-106-H-SEH

vs.

**ORDER**

JOSEPH LAMPORT, JR., individually  
and on behalf of Rob's Easy Auto Buy  
Here/Pay Here, LLC; KATHERINE  
LAMPORT, individually and on  
behalf of Rob's Easy Auto Buy  
Here/Pay Here, LLC; GALUSHA  
HIGGINS & GALUSHA, P.C.; and  
BRADLEY COOK, CPA, individually  
and on behalf of GALUSHA,  
HIGGINS & GALUSHA, P.C.,

Defendants.

On March 22, 2017, the Court revised the pretrial schedule in this case to require, *inter alia*, that each party file an amended preliminary pretrial statement on or before April 21, 2017, addressing, with strict compliance, each matter listed in Fed. R. Civ. P. 26(a)(1)(A)(i) and (ii) and L.R. 16.2(b)(1).<sup>1</sup> The preliminary pretrial statements filed on April 21, 2017, fail to comply with the Court's March

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<sup>1</sup> Doc. 26 at 2-3.

22, 2017, Order.

Deficiencies in the April 21, 2017, preliminary pretrial statements include:

1. Defendants Joseph Lamport, Jr., individually and on behalf of Rob's Easy Auto Buy Here/Pay Here, LLC and Katherine Lamport, individually and on behalf of Rob's Easy Auto Buy Here/Pay Here, LLC's Amended Preliminary Pretrial Statement<sup>2</sup> does not address the matters listed in Fed. R. Civ. P.

26(a)(1)(A)(ii) and required by the Court's March 22, 2017, Order.

2. Plaintiff April Schmitt's Amended Preliminary Pretrial Statement<sup>3</sup> does not include a summary of information known or believed to be known by each individual that may be used in proving or denying any party's claims or defenses as required under L.R. 16.2(b)(1)(J) and by the Court's March 22, 2017, Order.

3. Galusha, Higgins & Galusha, P.C. and Bradley Cook, CPA, individually and on behalf of Galusha, Higgins & Galusha, P.C.'s Preliminary Pretrial Statement<sup>4</sup> does not address the matters listed in Fed. R. Civ. P. 26(a)(1)(A)(ii) and required by the Court's March 22, 2017, Order.

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<sup>2</sup> Doc. 33.

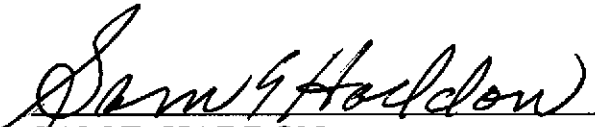
<sup>3</sup> Doc. 34.

<sup>4</sup> Doc. 35.

ORDERED:

Necessary and appropriate revisions to the preliminary pretrial statements to address the deficiencies outlined in paragraphs 1, 2, and 3 above shall be filed and served on or before May 5, 2017.

DATED this 28<sup>th</sup> day of April, 2017.

  
SAM E. HADDON  
United States District Judge